

SENATE RESOLUTION 355—HONORING THE SERVICE OF THE NATIONAL GUARD AND REQUESTING CONSULTATION BY THE DEPARTMENT OF DEFENSE WITH CONGRESS AND THE CHIEF EXECUTIVE OFFICERS OF THE STATES PRIOR TO OFFERING PROPOSALS TO CHANGE THE NATIONAL GUARD FORCE STRUCTURE

Mr. NELSON of Nebraska (for himself, Mr. GRAHAM, Mr. ALLEN, Mr. TALENT, Mrs. DOLE, Mr. DEWINE, Ms. MURKOWSKI, Ms. SNOWE, Mr. THUNE, Mr. ISAKSON, Ms. LANDRIEU, Mr. NELSON of Florida, Mr. HARKIN, Mr. DORGAN, Mr. LAUTENBERG, Mr. BINGAMAN, Mr. AKAKA, Mr. BAUCUS, Mrs. CLINTON, Mr. KOHL, Ms. MIKULSKI, Mr. BAYH, Ms. CANTWELL, Mr. PRYOR, Mr. SALAZAR, Mr. LIEBERMAN, Mr. BIDEN, Mr. CONRAD, Mr. KENNEDY, Mr. FEINGOLD, Mr. MENENDEZ, Mr. JOHNSON, and Mr. DURBIN) submitted the following resolution; which was referred to the Committees on Armed Services:

S. RES. 355

Whereas the Army National Guard and Air National Guard of the United States, representing all 50 States, Guam, Puerto Rico, the United States Virgin Islands, and the District of Columbia, have played an indispensable role in the defense of our country;

Whereas during one phase of the Global War on Terrorism, Army National Guard soldiers comprised nearly half of the United States combat forces in Iraq;

Whereas National Guard personnel are currently deployed in Afghanistan, Bosnia, Kosovo, and more than 40 other countries around the world;

Whereas 90 percent of the troops on the ground in Louisiana and Mississippi responding to Hurricane Katrina were members of the National Guard;

Whereas while performing these critical missions, the National Guard continues to experience significant equipment shortages, especially vehicle and radio shortages;

Whereas members of the National Guard are not "weekend warriors", but citizen-soldiers and airmen who serve full-time when their country needs them to do so;

Whereas the National Guard is a resource shared by the chief executive officers of the States and the President;

Whereas the National Guard is America's militia;

Whereas deployment to fight terrorism on two fronts overseas, while protecting our homeland, has stretched the National Guard thin;

Whereas the future of the National Guard could be determined by the Quadrennial Defense Review (QDR) currently underway;

Whereas the Army and Air Force could recommend changes in the force structure of the National Guard;

Whereas reductions in force structure could impact numerous Army National Guard armories and Air National Guard wings;

Whereas reductions in force structure combined with the lack of adequate equipment for the National Guard threaten its capacity to discharge its missions and its ability to respond in emergencies;

Whereas homeland defense is the most important mission of the Department of Defense; and

Whereas the National Guard is the force best suited to defend the homeland and

therefore the element from which resources should not be cut: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the vital Federal and State missions of the Army National Guard of the United States and the Air National Guard of the United States, including support of ongoing missions in Iraq and Afghanistan and homeland defense and disaster assistance and relief efforts;

(2) recommends that the Department of Defense propose fully funding the equipment needs of the National Guard;

(3) believes that the Department of Defense should, as soon as possible, consult with the chief executive officers of the States, as well as Congress, on any proposed changes to the National Guard force structure;

(4) requests that any plan of the Department of Defense regarding the National Guard force structure take into account the role of the National Guard role in homeland defense and other State missions as defined by the chief executive officers of the States;

(5) requests that the Department of Defense prepare budget projections that detail cost savings from any changes in National Guard force structure, as well as projected costs in the event large personnel increases are necessary to respond to a national emergency; and

(6) requests that the Department of Defense assure Congress and the chief executive officers of the States that potential changes in the National Guard force structure will not impact the safety and security of the United States people.

Mr. NELSON of Nebraska. Mr. President, I rise today to speak on behalf of a resolution I am submitting with Senator GRAHAM and 31 other senators, many of whom are members of the National Guard Caucus like me and Senator GRAHAM. I am also very proud to note that the National Guard Association of the United States has endorsed our resolution.

This resolution honors the service of the National Guard and requests consultation by the Department of Defense with the Congress and our Nation's Governors prior to offering proposals that could change the force structure of the Guard. In my opinion, it could not be timelier or more important.

We all know the tremendous sacrifices the National Guard is making around the globe today. The Army National Guard and the Air National Guard represent 50 states, Guam, Puerto Rico, the U.S. Virgin Islands and the District of Columbia and they are currently hard at work in Iraq, Afghanistan, Bosnia, Kosovo and over 40 other countries around the world.

Long gone is the phrase "weekend warrior". The Guard is made up of citizen-soldiers and airmen who serve full-time when their country calls on them. Since September 11, they have responded and represented America's militia with great honor.

Currently, the Nebraska National Guard has 364 personnel in Iraq. Their units are the 1-167th Cavalry which provides combat support to the Marines, the 67 Area Support Group which is responsible for command and control and the 189th Truck Company which handles convoy operations. In Afghanistan, there are 65 National Guard members of the 2nd Battalion at the Re-

gional Training Institute helping to train the Afghan National Army. Their Adjutant General, Major General Roger L. Lempke, leads the Nebraska National Guard with great pride and distinction. He is a credit to the National Guard, Nebraska and the Nation he represents.

The Guard is unique in that it's a shared resource between the Governors and the President. The National Guard is the first to respond to domestic emergencies which range from natural disasters to homeland defense. Ninety percent of the troops on the ground in Louisiana and Mississippi responding to Hurricane Katrina were members of the National Guard.

Most Nebraskans will recall the blizzard that roared out of Colorado in October 1997 and slammed into Nebraska causing extensive damage that would take weeks to clean up. It was fall and most trees still had their leaves. Branches snapped under the weight of more than a foot of heavy, wet snow and ice. The resulting power outages left 125,000 Nebraskans without electricity for days and even weeks.

As governor of Nebraska then, it was the responsibility of my office to declare a state of emergency which activated the National Guard to help in clean up and rescue operations. The Guard responded with troops and equipment that made the effort proceed smoothly and efficiently.

The Guard handles State missions like this every year and every season while experiencing critical equipment shortages, especially vehicle and radio shortages. Congress added \$1 billion dollars for new equipment for the Guard last December, but that's only a small portion of what is needed to fully fund the equipment needs of the Guard. And deployments, especially to Iraq and Afghanistan, have stretched the Guard thin.

It's in this environment that the Department of Defense will release the Quadrennial Defense Review next month. The QDR review could impact the future of the Guard. The Army and the Air Force may recommend changes in the force structure which will impact Army National Guard armories and Air National Guard wings throughout the country.

Reductions in the force structure combined with a lack of adequate equipment for the National Guard threaten its missions and ability to respond in an emergency. Homeland defense is the most important mission of the Department of Defense and the National Guard is the force best suited to defend the homeland. It's the very last place resources should be cut from.

Unfortunately, media reports indicate that to pay for modernization programs, the Department of Defense will propose changing the Guard's force structure. In an effort to begin a dialogue with DOD we are offering this resolution which honors the National Guard and recommends that DOD: Fully funding the equipment needs of

the National Guard; requests that the Department of Defense should, as soon as possible, consult with Governors, as well as Congress, on any proposed changes to the National Guard force structure; requests that any plan of the Department of Defense regarding the National Guard force structure take into account the role of the National Guard in homeland defense and other state mission defined by Governors; requests the Department of Defense provide budget projections that detail cost savings from any changes in National Guard force structure, as well as projected costs in the event large personnel increases are necessary to respond to a national emergency; and requests the Department of Defense assure Congress, and Governors, that potential force structure changes will not impact the safety and security of the American people.

Every debate about the defense budget should be held in the context of long-term national security goals. I look forward to engaging with the Department on their QDR proposals for the future of America's militia, the National Guard, and I urge adoption of this resolution by the full Senate.

#### NOTICES OF HEARINGS/MEETINGS

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources to consider the President's Proposed Budget for Fiscal Year 2007 for the Department of Energy.

The hearing will be held on Thursday, February 9 at 10 a.m. in Room SD-366 of the Dirksen Senate Office Building.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, SD-364 Dirksen Senate Office Building, Washington, DC 20510-6150.

For further information, please contact Elizabeth Abrams.

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Thursday, February 9, 2006 at 2:30 p.m. in Room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to discuss the Energy Information Administration's 2006 Annual Energy Outlook on trends and issues affecting the United States' energy market.

Because of the limited time available for the hearing, witnesses may testify

by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150.

For further information, please contact Lisa Epifani or Shannon Ewan.

##### SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. CRAIG. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Public Lands and Forests.

The hearing will be held on Wednesday, February 15, 2006, at 2:30 p.m. in Room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to review the progress made on the development of interim and long-term plans for use of fire retardant aircraft in Federal wildfire suppression operations.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony, to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150.

For further information, please contact Frank Gladics or Kristina Rolph of the Committee staff.

##### COMMITTEE ON INDIAN AFFAIRS

Mr. McCAIN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, February 1, 2006, at 9:30 a.m. in Room 485 of the Russell Senate Office Building to conduct an Oversight Hearing on Off-Reservation Gaming: The Process for Considering Gaming Applications lands eligible for gaming pursuant to the Indian Gaming Regulatory Act.

Those wishing additional information may contact the Indian Affairs Committee.

#### AUTHORITIES FOR COMMITTEES TO MEET

##### SELECT COMMITTEE ON INTELLIGENCE

Mr. TALENT. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on January 26, 2005 at 2:30 p.m. to hold a closed briefing.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Yoni Cohen of my staff be granted floor privileges for the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### UNANIMOUS-CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. FRIST. Mr. President, I ask unanimous consent that on Tuesday,

January 31, at a time to be determined by the majority leader, after consultation with the Democratic leader, the Senate proceed to executive session and the consideration en bloc of calendar Nos. 440 and 441, the nomination of Ben Bernanke to be a member and Chairman of the Federal Reserve; further, that there be 30 minutes under the control of Senator BUNNING and 60 minutes equally divided between the chairman and ranking member of the Banking Committee.

I further ask unanimous consent that following the use or yielding back of time, the Senate proceed to consecutive votes on the confirmation of calendar Nos. 440 and 441, and that following the votes the President be immediately notified of the Senate's action, and then the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ALITO NOMINATION

Mr. FRIST. Mr. President, earlier today I filed a cloture motion on Judge Alito's nomination in order to bring to close in the not too distant future this outstanding nominee's confirmation process.

The cloture vote is scheduled, as my colleagues know, for 4:30 in the afternoon on Monday. If cloture is invoked—which I believe it will be—we will have a final up-or-down vote on confirmation on Tuesday at 11 o'clock in the morning.

While I believe the Senate has a responsibility to have a thorough debate, a robust debate on every judicial nomination, I am disappointed and it is time to end the delay tactics which we have seen play out over the last several weeks, delay tactics my colleagues on the other side of the aisle are using to obstruct this nominee. Thus, that is why I filed cloture to say enough is enough.

It has been 87 days since the President announced Judge Alito's nomination. I should say, by the way, that it took an average of 63 days from announcement to confirmation of both of President Clinton's nominees.

When Judge Alito was nominated on October 31, or shortly after that—maybe even that day—Chairman SPECTER and I worked in good faith with Senator REID and Senator LEAHY for a timeline on confirmation projecting out where we would be. We agreed to give Judge Alito a fair up-or-down vote after plenty of time for hearings and preparations for the hearings on January 20. We agreed to consider the nomination—it wasn't our preference—after the holidays. We also agreed—again it wasn't our preference—to the Democratic schedules not to begin hearings the week we preferred, January 2.

All of these accommodations were made with the expectation that Democrats on the Judiciary Committee, once they had plenty of time for their hearings themselves, would not delay